

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BRITISH TELECOMMUNICATIONS PLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 09-107-SLR/LPS
)	
FREESCALE SEMICONDUCTOR, INC.)	
)	
Defendant.)	
)	
)	

STIPULATION AND ORDER MODIFYING SCHEDULING ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff British Telecommunications PLC and defendant Freescale Semiconductor, Inc., subject to the approval of the Court, that the June 3, 2009 Rule 16 Scheduling Order [D.I. 22] be modified as follows:

1. The deadline for completion of document production is extended three months from November 2, 2009, to February 2, 2010;
2. The deadline for all motions to join other parties and amend the pleadings is extended three months from December 1, 2009, to March 1, 2010;
3. The deadline for supplementations under Rule 26(e) is extended three months from January 13, 2010, to April 13, 2010;
4. The deadline for defendant to inform plaintiff as to whether it intends to rely on advice of counsel is extended three months from January 15, 2010, to April 15, 2010;
5. The deadline for the parties to exchange lists of those claim terms that they believe need construction and their proposed construction of those terms is extended three months from January 15, 2010, to April 15, 2010;

6. The deadline for completion of fact discovery is extended three months from February 16, 2010, to May 17, 2010;

7. The deadline for expert reports is extended two months. Expert reports on issues for which the parties have the burden of proof shall be due on June 1, 2010. Rebuttal expert reports shall be due on July 2, 2010.

8. The deadline for completion of expert discovery is extended two months from June 1, 2010, to August 2, 2010;

9. The deadline for the parties to submit the Joint Claim Construction Statement is extended two months from June 1, 2010, to August 2, 2010; and

10. The deadline for filing Daubert motions is extended two months from July 1, 2010, to September 1, 2010.

All other scheduled dates shall remain the same, including dates for filing summary judgment motions and claim construction briefs.

Dated: December 3, 2009

YOUNG CONAWAY STARGATT & TAYLOR, LLP FISH & RICHARDSON P.C.

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/s/ William J. Marsden, Jr.

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Attorneys for Freescale Semiconductor, Inc.

SO ORDERED this _____ day of December, 2009.

United States Magistrate Judge